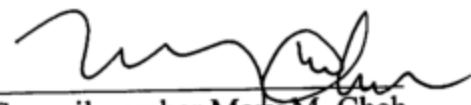


  
Councilmember Elissa Silverman

  
Councilmember Mary M. Cheh

A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To establish nutrition standards and requirements for meals served in shelters; to ensure adequate meals in times of weather emergencies and hypothermia-inducing temperatures; to encourage local foods to be served in shelters; to require that the Department of Human Services be directly responsible for all contracts, reporting, and compliance regarding homeless shelter food services; to establish monitoring requirements for food services; to expressly permit the use of donated and recovered food at shelters; to ensure that nonprofit organizations are not competitively disadvantaged when bidding for homeless shelter food service contracts; to establish grants for nutrition education and cooking lessons, gardens, and play structures at family shelters; and to require that shelters provide employment services for residents experiencing homelessness.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Healthy Shelters Act of 2019".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Child and Adult Care Food Program" means the program authorized by section 17 of the National School Lunch Act, approved October 7, 1975 (89 Stat. 522; 42 U.S.C. § 1766).

(2) "Declared emergency conditions" means the Homeland Security and Emergency Management Agency has activated a Cold Emergency Alert. A Cold Emergency

Alert is activated when weather is forecasted that presents a danger to residents, especially those experiencing homelessness.

(3) “Family shelter” means a temporary shelter for families experiencing homelessness, where “family” has the same meaning as § 4-751.04 (16).

(4) “Food service vendor” means a vendor providing food services to a temporary shelter overseen by the Department of Human Services.

(5) “Locally grown” means grown in Delaware, the District of Columbia, Maryland, New Jersey, North Carolina, Pennsylvania, Virginia, or West Virginia.

(6) “Nonprofit organization” means a corporation, association, or organization which is tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

(7) “Shelter” shall have the same meaning as provided in § 4-751.01 (37).

(8) “Summer Food Service Program” means the program authorized by section 13 of the National School Lunch Act, approved October 7, 1975 (89 Stat. 522; 42 U.S.C. § 1761).

(9) “Temporary shelter” shall have the same meaning as provided in § 4-751.01 (40).

### Sec. 3. Nutritional standards and requirements for meals served in shelters.

(a) All breakfast, lunch, and supper meals served at shelters shall reflect the recommendations in the Dietary Guidelines for Americans published by the federal Department of Health and Human Services and Department of Agriculture.

(b) Foodservice vendors shall provide menus one week in advance in a manner and form accessible to shelter residents, with room for substitutions and variations based on the nature of local sourcing and food recovery practices such as donations.

(c) Eligible shelters shall enroll in the Child and Adult Care Food Program and Summer Food Service Program, to ensure that children have access to quality nutrition during out-of-school hours.

Sec. 4. Shelter meal contracting, reporting, and compliance.

(a) The Department of Human Services shall be directly responsible for all contracts, reporting, and compliance pursuant to this act, including:

- (1) All meal service contracts for shelter food services;
- (2) Programming grants; and
- (3) Shelter garden and playground installation and management.

(b) All contracts for shelter food services entered into by the Department of Human Services shall:

(1) Expressly permit the use of donated and recovered food, provided that the food service vendor demonstrates the capacity to ensure such donations or recovered foods are used in ways that meet nutritional and food safety guidelines;

(2) Designate clear roles and responsibilities between shelters and food service vendors, such as for food delivery, food handling, and food preparation;

(3) Provide an additional 25% reimbursement to food service vendors for each shelter meal delivered under declared emergency conditions to ensure that providers are able to meet the needs of residents at shelters during such conditions;

(4) Provide an additional 25 cents per meal reimbursement to food service vendors when at least one component of a meal is composed predominantly of locally grown produce; provided, that the food service vendor report the name and address of the farms where the locally grown produce were grown to the Department of Human Services; and

(5) Include monitoring requirements, which shall include:

(A) Quarterly meetings between the Department of Health and food service vendors to discuss issues related to the contract, including but not limited to:

(i) Required meal counts, including meal counts for residents with dietary restrictions;

(ii) Practices for shelters receiving meals, including food delivery and storage;

(iii) Sourcing of local food items and ensuring menu compliance with Dietary Guidelines;

(iv) Resident feedback on menus, quality, and quantity; and

(v) Meal service plans involving emergency or hypothermia conditions;

(B) Biannual walk-throughs of food service vendor kitchens and shelters by DHS, vendor, and shelter staff, as well as periodic spot-checks by DHS to ensure that performance meets the terms of the contract; and

(C) Performance management requirements, including complaint logs.

(c) The Department of Human Services shall ensure that nonprofit organizations established in the District are not competitively disadvantaged in the bidding process as compared to for-profit businesses.

#### Sec. 5. Family shelter grants.

The Department of Human Services shall provide annual grants for:

(a) Programs that deliver nutrition education, cooking lessons, and healthy shopping lessons at or near family shelters;



(b) Programs that promote healthy physical activity, inclusive play, and the creation of safe play structures on the grounds of family shelters;

(c) Building and maintenance of gardens at family shelters.

#### Sec. 6. Additional requirements.

(a) Each shelter overseen by the Department of Human Services must provide employment services to residents, including referrals to job training and job placement services, on no less than a quarterly basis.

(b) As part of the requirements in subsection (a) of this section, the Department of Employment Services shall provide Workforce Innovation and Opportunity Act, approved XX, (128 Stat. 1425; XX U.S.C. § XX), enrollment assistance to participating shelters.

#### Sec. 6. Rulemaking.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of the Healthy Shelters Act of 2019, as introduced on DATE (Bill 22-XXX).”.

#### Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

#### Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.